

## RECIPROCAL TRADE

*Exchange of notes at Port-au-Prince April 25, 1942, supplementing  
agreement of March 28, 1935, as modified*

*Entered into force April 25, 1942*

*Paragraph 3 terminated March 24, 1944*<sup>1</sup>

*Agreement of March 28, 1935, as supplemented, terminated January 1,  
1950, by agreement of December 29, 1949*<sup>2</sup>

56 Stat. 1497; Executive Agreement Series 252

*The Secretary of State for Foreign Affairs to the American Minister*

[TRANSLATION]

SECRETARIAT  
OF FOREIGN AFFAIRS

PORT-AU-PRINCE, *April 25, 1942*

SIR:

I have the honor to refer to the recent conversation regarding the trade agreement between the Republic of Haiti and the United States of America signed on March 28, 1935<sup>3</sup> and to confirm the understanding reached as a result thereof that the Government of the Republic of Haiti and the Government of the United States of America are in agreement as follows:

1. The provisions of articles I and II of the trade agreement of March 28, 1935 shall not prevent the Government of either country from imposing at any time on the importation of any article a charge equivalent to an internal tax imposed in respect of a like domestic article or in respect of a commodity from which the imported article has been manufactured in whole or in part. Moreover, the provisions of article IV of the said agreement shall not prevent the application to cigarettes originating in the United States of America of an increase in the internal tax to the same extent that the internal tax on domestic cigarettes is increased.

2. Nothing in the trade agreement of March 28, 1935 shall be construed to prevent the adoption or enforcement by either country of measures relating to public security, or imposed for the protection of the country's essential interests in time of war or other national emergency.

<sup>1</sup> Date of expiration of commercial treaty of Aug. 26, 1941, between Haiti and the Dominican Republic.

<sup>2</sup> 2 UST 458; TIAS 2189.

<sup>3</sup> EAS 78, *ante*, p. 714.

3. With reference to the exchange of notes between the Governments of the Republic of Haiti and the United States of America effected on February 16 and 19, 1942,<sup>4</sup> regarding exclusive tariff preferences accorded by the Republic of Haiti to the Dominican Republic which are specifically provided for in the treaty of commerce between the Republic of Haiti and the Dominican Republic signed on August 26, 1941, it is understood that the provisions of the exchange of notes of February 16 and 19, 1942 shall also extend to empty sisal sacks as provided for in the exchange of notes of March 24, 1942 supplementing the provisions of the treaty of commerce of August 26, 1941.

I avail myself of this opportunity to renew to Your Excellency the assurances of my high consideration.

FOMBRUN

His Excellency

Mr. JOHN CAMPBELL WHITE,  
*E. E. and Minister Plenipotentiary  
of the United States of America,  
Port-au-Prince.*

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*The American Minister to the Secretary of State for Foreign Affairs*

LEGATION OF THE  
UNITED STATES OF AMERICA  
PORT-AU-PRINCE, HAITI, *April 25, 1942*

No. 438

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of today's date, referring to the recent conversations regarding the trade agreement between the United States of America and the Republic of Haiti signed on March 28, 1935.

I have the honor to confirm the understanding reached as a result of these conversations that the Government of the United States of America and the Government of the Republic of Haiti are in agreement as follows:

[For terms of agreement, see numbered paragraphs in Haitian note, above.]

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

J. C. WHITE

His Excellency

M. CHARLES FOMBRUN,  
*Secretary of State for Foreign Affairs,  
Port-au-Prince.*

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<sup>4</sup> EAS 238, *ante*, p. 753.